REMARKS/ARGUMENTS

I. STATUS OF CLAIMS

Claims 1-14 and 21-34 are pending in the application. Claims 1, 3-5, 7, 8, 10, 11, 13, 14, 21-25, 27-28, and 31-34 are amended. No new matter has been added.

II. CLAIM REJECTIONS – 35 U.S.C. § 101

Claims 21-34 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Applicants have amended Claims 21-34 to conform to the Office Action's comments and are directed to statutory subject matter. Therefore, Applicants respectfully request the Examiner to withdraw the rejection under 35 U.S.C. § 101.

III. CLAIM REJECTIONS – 35 U.S.C. § 112

Claims 1-14 and 21-34 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants have amended Claims 1-14 and 21-34 to conform to the Office Action's rejections. Applicants believe that the term "network of caching servers" is adequately described in the Claims and the Specification. The Claims have been amended to clarify that the network of caching servers does not include the customer's plurality of web servers. This clarifies the difference between the network of caching servers and the customer's plurality of web servers. Claims 1, 8, 21, and 28 have been amended to clarify that the customer is a customer of a service for use of the network of

caching servers managed by the service that store static content for the customer. This clarifies the role of the customer.

Claims 1-14 and 21-34 particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Therefore, Applicants respectfully request the Examiner to withdraw the rejection under 35 U.S.C. § 112, second paragraph.

IV. CLAIM REJECTIONS – 35 U.S.C. § 103

Claims 1-14 and 21-34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chauhan, U.S. Patent No. 6,115,752 (hereinafter "Chauhan") in view of Gurijala et al., U.S. Patent No. 6,601,090 (hereinafter "Gurijala").

Claims 1 and 8 have been amended to clarify the claimed invention and appear as follows:

> 1. A method, comprising:
> receiving a request on a DNS server from a client for a web page at a first web address, the first web address including a hostname;
> determining traffic loads of a plurality of mirrored customer web servers each addressable by the requested hostname among a customer's plurality of web servers, each of the customer web servers storing the web page;
> determining a customer web server from the plurality of mirrored customer web servers that is appropriate for the request, the customer web server having a traffic load lower than traffic loads of remaining customer web servers from the plurality of mirrored customer web servers;
> determining an IP address of the customer web server;
> sending the IP address of the customer web server to the client;
> receiving a request from the client for static content on the web page at a second web address, the second web address specifying a network of caching servers;
> determining service metrics of a set of caching servers each addressable by the second web address in the network of caching servers, the network of caching server does not include the customer's plurality of web servers;
> wherein a customer is a customer of a service for use of the network of caching servers managed by the service that store static content for the customer;
> determining a caching server from the set of caching servers that is appropriate for the request for static content, the caching server having service

metrics better than service metrics of remaining caching servers from the set of caching servers;

determining an IP address of the caching server; and

delivering the IP address of the caching server to the client.

8. A method, comprising:

receiving a first request on a DNS server from a client DNS server to resolve a first domain name, the client DNS server receiving a request from a client of a web page address that includes the first domain name;

determining load measurements of a plurality of mirrored customer web servers each addressable by the first domain name among a customer's plurality of web servers, each of the customer web servers addressable by the first domain name, and each of the customer web servers configured to service the request from the client;

determining a customer web server from the plurality of mirrored customer web servers, the customer web server having a traffic load lower than traffic loads of other customer web servers from the plurality of mirrored customer web servers;

determining an IP address of the customer web server;

providing the IP address of the customer web server to the client DNS server;

receiving a second request from the client DNS server to resolve a second domain name, the client DNS server receiving a request from the client of a uniform resource locator obtained from the web page associated with the web page address that includes the second domain name;

determining performance metric measurement of a set of caching servers each addressable by the second domain name in a network of caching servers that does not include the customer's plurality of web servers;

wherein a customer is a customer of a service for use of the network of caching servers managed by the service that store static content for the customer;

determining a caching server from the set of caching servers, the caching server having performance metrics lower than performance metrics of other caching servers from the set of caching servers; and

delivering an IP address of the caching server to the client DNS server.

In particular, neither Chauhan nor Gurijala, alone or in combination, teach or disclose determining traffic loads of a plurality of mirrored customer web servers each addressable by the requested hostname among a customer's plurality of web servers, each of the customer web servers storing the web page as cited in Claim 1. The Office Action points to Chauhan col. 7, lines 24-42, however, it is clear from Chauhan that Chauhan

does not make any distinction between his mrrored servers as Chauhan states that his ONS requests round trip times from **all the mirrored servers**. This makes it clear that Chauhan does not contemplate **determining traffic loads of a plurality of mirrored customer web servers each addressable by the requested hostname among a customer's plurality of web servers** as cited in Claim 1. Chauhan simply requests round trip times from **all** the mirrored servers. Therefore, Chauhan does not contemplate such features.

Neither Chauhan nor Gurijala, alone or in combination, teach or disclose determining a customer web server from the plurality of mirrored customer web servers that is appropriate for the request, the customer web server having a traffic load lower than traffic loads of remaining customer web servers from the plurality of mirrored customer web servers as cited in Claim 1. As discussed above, Chauhan does not contemplate **a plurality of mirrored customer web servers each addressable by the requested hostname among a customer's plurality of web servers** . Therefore, Chauhan cannot contemplate determining a customer web server from the **plurality of mirrored customer web servers** that is appropriate for the request, the customer web server having a traffic load lower than traffic loads **of remaining customer web servers from the plurality of mirrored customer web servers**. Chauhan does not contemplate such features.

Additionally, neither Chauhan nor Gurijala, alone or in combination, teach or disclose receiving a request from the client for static content on the web page at a second web address, the second web address specifying a network of caching servers. The Office Actionpoints to col. 6, lines 45-53, however, Chauhan only mentions a user sending a request for an address to the user's local name service and the local name

service then requesting the address from an ONS. Chauhan makes no mention of receiving a request from the client for **static content on the web page at a second web address** as cited in Claim 1. Chauhan makes no mantion of such a feature. Therefore, Chauhan does not contemplate such features.

Neither Chauhan nor Gurijala, alone or in combination, teach or disclose determining service metrics of a set of caching servers each addressable by the second web address in the network of caching servers, the network of caching server does not include the customer's plurality of web servers as cited in Claim 1. The Office Action again points to col. 7, lines 24-42 which clearly typifies Chauhan's approach as that Chauhan does not make any distinction between his mrrored servers as Chauhan states that his ONS requests round trip times from **all the mirrored servers**. This makes it clear that Chauhan does not contemplate **a set of caching servers each addressable by the second web address in the network of caching servers**. Chauhan makes no mention of such a distinction between his mirrored servers. Chauhan also does not contemplate the network of caching server does not include the customer's plurality of web servers. Therefore, Chauhan does not contemplate such features.

Further, neither Chauhan nor Gurijala, alone or in combination, teach or disclose wherein a customer is a customer of a service for use of the network of caching servers managed by the service that store static content for the customer as cited in Claim 1. There is no mention of such a distinction between a customer and a service that manages the network of caching servers that store static content for the customer. Therefore, neither Chauhan nor Gurijala contemplate such features.

Finally, neither Chauhan nor Gurijala, alone or in combination, teach or disclose determining a caching server from the set of caching servers that is appropriate for the

request for static content, the caching server having service metrics better than service metrics of remaining caching servers from the set of caching servers as cited in Claim 1. As discussed above, Chauhan does not contemplate a set of caching servers in a network of caching servers **each addressable by the second web address**. Therefore, Chauhan cannot contemplate determining a caching server **from the set of caching servers** that is appropriate for the request for static content, the caching server having service metrics better than service metrics **of remaining caching servers from the set of caching servers**. Chauhan does not contemplate such features.

Claims 1 is allowable. Claim 8 is allowable for at least the same reasons as Claim 1. Claims 21 and 28 are apparatus claims of Claims 1 and 8, respectively, and are also allowable. Claims 2-7, and 9-14 are dependent upon independent Claims 1 and 8, respectively. Claims 22-27, and 29-34 are dependent upon independent Claims 21 and 28, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

V. CONCLUSIONS & MISCELLANEOUS

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Applicants believe that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate.

The Examiner is invited to telephone the undersigned at (408) 414-1214 to discuss any issue that may advance prosecution.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. § 1.136. The Commissioner is authorized to charge any fee that may be due in connection with this Reply to our Deposit Account No. 50-1302.

Respectfully submitted,
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